

Jeffrey W. Shields (USB #2948)
Lon A. Jenkins (USB #4060)
Troy J. Aramburu (USB #10444)
JONES WALDO HOLBROOK & McDONOUGH PC
170 South Main Street, Suite 1500
Salt Lake City, Utah 84101
Telephone: (801) 521-3200

Counsel to Unsecured Creditors' Committee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:	:	Bankruptcy No. 09-29905
	:	
EASY STREET HOLDING, LLC et al.,¹	:	(Jointly Administered with Cases
	:	09-29907 and 09-29908)
Debtors.	:	
	:	Chapter 11
	:	
	:	Honorable R. Kimball Mosier
	:	

**EX PARTE MOTION TO SHORTEN NOTICE ON APPLICATION OF OFFICIAL
COMMITTEE OF UNSECURED CREDITORS FOR EMPLOYMENT OF
RESTRUCTURING ADVISOR**

The Official Committee of Unsecured Creditors (the “**Committee**”), by and through its counsel, respectfully moves the Court for an order shortening notice and setting hearing on the application of the Committee to employ Vici Capital Partners, LLC (“**Vici**”) as the Committee’s financial advisor.

In support of this Motion, the Committee represents as follows:

¹ The Debtor entities are Easy Street Holding, LLC, Easy Street Partners, LLC, and Easy Street Mezzanine, LLC.

1. The Committee was duly constituted by the United States Trustee in this matter and has been actively participating in this case having made numerous appearances and filed numerous pleadings in this matter.

2. The Debtor has moved on three occasions to extend exclusivity in this case, having experienced considerable difficulty obtaining a plan financing commitment. As counsel for Debtor and Debtor's lead lender, West LB, represented before the Court in a recent hearing, creditor plan alternatives are emerging, such as a possible plan promulgated by West LB, with or without the joint sponsorship of the Debtor, a plan promulgated by the Committee, and other such plan activity.

3. At the present time, a plan funder for the Debtor's current plan is to be submitted by June 10, 2010. It is unknown at this time, as is typically the case in Chapter 11, whether such a plan funder will come forward, if such a plan will be confirmable if a funder does come forward, or whether a different plan configuration will be proposed. It is presently unknown who, precisely, the proponents of any such plan will be.

4. The Committee requires the employment of an experienced financial advisor to assist it in navigating the complexities of the various plan proposals, financing difficulties, and the possibility of presenting and structuring its own plan.

5. As indicated in the Application, the Committee has retained, subject to the consent of this Court, Vici Capital Partners, LLC, which is composed of a group of professionals with wide-ranging and extensive complex financial advisory experience.

6. Because of the pace at which this case is moving, and the need to engage Vici immediately to advise not only on plan prospects, but to advise on matters being presented in the Court on June 11, 2010, the Committee requests that notice of the application and hearing be shortened as follows:

(a) That hearing be held on the Application on or before June 11, 2010, and that notice be given through the Court's CM/ECF system, and to parties regularly participating in this case, all by email. Such parties include: West LB and its counsel; BayNorth and its counsel; the Debtors and their counsel; the United States Trustee; Jacobsen Construction and its counsel; the Homeowners' Group through its counsel (Douglas Payne of Fabian & Clendenin) and other parties as the Court may direct.

(b) There have been several hearings in this case and the foregoing list of parties in interest typically attend and participate in this case. Based thereupon, the Committee believes that such notice to such parties would be adequate.

7. The Committee, in consideration of the shortened notice, would propose that parties in interest be permitted to file objections before midnight the day before the scheduled hearing, if it is held on the date requested. The Committee believes that this is a reasonable accommodation to parties in exchange for shortened notice.

8. Based upon the foregoing, the Committee believes that there is cause presented to shorten notice and hearing on the Application and respectfully requests the Court enter the Proposed Order attached hereto.

DATED this 3rd day of June, 2010.

JONES WALDO HOLBROOK & McDONOUGH PC

By: /s/ Lon A. Jenkins
Jeffrey W. Shields
Lon A. Jenkins
Attorneys for Unsecured Creditors' Committee